

**REMARKS**

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated April 16, 2009, has been received and its contents carefully reviewed. The Examiner is also thanked for her time give during a phone interview conducted on June 26, 2009.

Claims 1, 2, 9, 10, and 15 have been amended. Claims 8, 11, and 17-20 have been canceled without prejudice or disclaimer to the subject matter contained therein. Claims 21-23 have been added. Accordingly, claims 1-7, 9, 10, 12-16, and 21-23 are pending for prosecution on the merits. Reexamination and reconsideration are respectfully requested.

**Claims 2, 5, and 18 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant claims as the invention.** Office Action at p. 2. Claim 18 has been canceled, thus the rejection of this claim is moot. The Office points to FIG. 3 of the instant specification as states, "it appears that the condenser fan 240 is connected to the meandering air duct and thus blows air inside/into the air duct, rather than blowing air outside the duct." Office Action at p. 2.

Applicants respectfully traverse the rejection and, as discussed in the above-referenced phone interview, points to the following disclosure: "Installed within the blower 210 is a fan (to be described later) for suctioning air from inside the tub 110. A condenser fan 240 for blowing cold air to lower the temperature of the air duct 200 is integrally coupled with the fan [of the blower] and is installed at the front of the blower 210." Specification at p. 5, ll. 22-26, see also p. 6 ll. 2-8.

In a further attempt to clarify the subject matter in response to the Office's rejection, and in accordance with the substance of the above-reference phone interview, Applicants have amended claims 2 and 15. Accordingly, Applicants assert that the rejection under 35 U.S.C. § 112, second paragraph has been overcome and request withdrawal of the rejection under of claims 2 and 15.

The Office has rejected claims 1-20 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,337,500 to Enokizono (hereinafter *Enokizono*). Office Action at p. 3. Claims 8, 11, and 17-20 have been canceled, thus the rejection of these claims is now moot.

Applicants respectfully traverse the rejection and assert that *Enokizono* fails to disclose a condensing apparatus comprising, at least, “an air duct for circulating and condensing vapor from inside the tub; the air duct including a condensed water discharge port for discharging moisture condensed from the vapor and a vapor exhaust port spaced apart from the condensed water discharge port for exhausting vapor, from which the moisture has been removed, outside of the dish washer,” as recited in independent claims 1 and 10.

The Office asserts that *Enokizono* discloses a “condensate container 32 (condensed waster discharge port), [and] outside air duct 82 (vapor exhaust port).” Office Action at p. 3. Applicants respectfully disagree with the Office’s reading of *Enokizono* and assert that *Enokizono* wholly fails to disclose the claimed invention.

First regarding the Office’s interpretation of *Enokizono*’s outside air duct 82 reading on the claimed vapor exhaust port, Applicants respectfully disagree. The outside air duct 82 actually receives a flow of cool outside air from second inlet 76 to which “passes over the drain pump 24 and the drain motor 44, and flows over the heat exchanger 68,” to cool the system. *Enokizono* at col. 4, ll. 20-30. At no point does vapor enter air duct 82. In fact, such an occurrence would likely be detrimental to the functioning of *Enokizono*’s dishwasher as the passage of moist vapor would cause rusting and corrosion of the pump 24, motor 44, and any other mechanical part contained therein. Accordingly, *Enokizono* fails to disclose, “a vapor exhaust port spaced apart from the condensed water discharge port for exhausting vapor, from which the moisture has been removed, outside of the dish washer,” as recited in independent claims 1 and 10.

Second, Applicants assert *Enokizono* teaches that the heated air from chamber 14, from which moisture has been removed at heat exchanger 68, is not exhausted outside but is instead re-circulated back into chamber 14. See *Enokizono* at FIG. 1. In the disclosed embodiments of the present invention, the hot moist vapor passes through air duct 200 and condenses due to heat exchange with air circulated outside the duct 200 via condenser fan 240. Specification at p. 5, ll.

39-41 to p. 6, ll. 1-8. The resulting dehumidified air “is then exhausted through the vapor exhaust port 202 to the outside.” *Id.*

As discussed above *Enokizono*’s system re-circulates the air back into chamber 14 after it passes through rear duct 60. *Enokizono* teaches “[t]he cool air is exhausted from teh first inlet 52... [and] is reheated by the heater 40, so the above circulation is continued.” *Id.* at col. 4, ll. 12-14. Therefore, *Enokizono* wholly fails to disclose a vapor exhaust port spaced apart from the condensed water discharge port for exhausting vapor, from which the moisture has been removed, outside of the dish washer,” as recited in independent claims 1 and 10.

Accordingly, Applicants respectfully submit that independent claims 1 and 10 are patentably distinguishable over *Enokizono*. Claims 2-7, 9, and 12-16, which depend from either independent claims 1 or 10, are also patentably distinguishable for at least the same reasons as discussed above. Accordingly, Applicants respectfully request that the Office withdraw the 35 U.S.C. § 103(a) rejection of claims 1-7, 9, 10, and 12-16.

Finally Applicants respectfully assert that newly added claims 21-23 are also distinguishable over the prior art, at least due to their dependency on independent claims 1 and 10.

### **CONCLUSION**

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

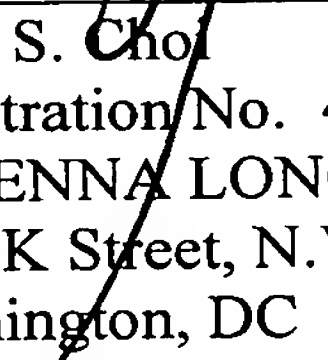
If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37

C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Respectfully submitted,

Dated: June 29, 2009

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